REMARKS

Claims 1-66 are pending and have been restricted under 35 U.S.C. § 121 into the following groups:

Group 1: Claims 1-30, 35, 36, and 66, drawn to a method and device for determining the nuclear packing efficiency (NPE) of a cell; and

Group 2: Claims 31-34 and 37-65, drawn to a method for determining an NPE for a population of cells.

The Examiner requests that one of the groups of claims be elected for examination. Applicant elects the claims of Group II, claims 31-34 and 37-65, for examination.

The Examiner has additionally requested that a species election be made. Applicants elect the following species: Species F: phenotype species F9, neoplastic; Species G, stage cycle Species G1, S; Species H, disease state Species H1, genetic disease; Species I, different cell type Species I1, malignant cell; Species J, cell Species J1, breast tissue. The claims readable on the elected species include claims 31-34, 37, 38, 43, 45, 46, 50, 55-58, 60, 61 and 66.

Applicant elects the claims of Group II, claims 31-34 and 37-65, for examination. Applicant further elects the species: Species F: phenotype species F9, neoplastic; Species G, stage cycle Species G1, S; Species H, disease state Species H1, genetic disease; Species I, different cell type Species I1, malignant cell; Species J, cell Species J1, breast tissue. The Examiner is invited to call the undersigned agent if there are any questions.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Deborah L. Cadena
Registration No. 44,048

4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122
Phone: 858.535.9001 DLC:llf
Facsimile: 858.597.1585
Date: June 16, 2006

Please recognize our Customer No. 41552 as our correspondence address.

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